

MONTANA LEGISLATIVE HISTORY

Chapter 540 19 91

Bill H 890 S ~~892~~ Original bill & history C

H. Committee on Business & Economic ^{Development}

S. Committee on Public Health Welfare

Hearing Date(s) Feb 20 1^c

Hearing Date(s) Mar 20 1^c Set 7

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Date Out _____ C

Did this bill originate in an interim committee? Yes No

Committee _____

Report

2/23	FISCAL NOTE RECEIVED		
2/23	FISCAL NOTE PRINTED		
3/06	HEARING		
3/22	COMMITTEE REPORT—BILL PASSED AS AMENDED		
4/03	2ND READING PASSED AS AMENDED	90	8
4/03	ON MOTION RULES SUSPENDED TO ALLOW 3RD READING THIS DAY		
4/03	3RD READING PASSED	89	9
	TRANSMITTED TO SENATE		
4/04	FIRST READING		
4/04	REFERRED TO TAXATION		
4/06	HEARING		
4/10	COMMITTEE REPORT—BILL CONCURRED AS AMENDED		
4/10	REVISED FISCAL NOTE REQUESTED		
4/13	REVISED FISCAL NOTE RECEIVED		
4/15	REVISED FISCAL NOTE PRINTED		
4/15	2ND READING CONCURRED	48	0
4/16	3RD READING CONCURRED	47	2
	RETURNED TO HOUSE WITH AMENDMENTS		
4/18	2ND READING AMENDMENTS CONCURRED	89	9
4/19	3RD READING AMENDMENTS CONCURRED	92	6
4/23	SIGNED BY SPEAKER		
4/23	SIGNED BY PRESIDENT		
4/23	TRANSMITTED TO GOVERNOR		
4/25	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 641		

EFFECTIVE DATE: 7/01/91

HB 869 INTRODUCED BY SIMPKINS, ET AL

CLASSIFY SOD FARMS AND NURSERIES AS AGRICULTURAL
LAND FOR PROPERTY TAXATION

2/14	INTRODUCED		
2/14	REFERRED TO TAXATION		
2/15	FIRST READING		
2/15	FISCAL NOTE REQUESTED		
2/18	FISCAL NOTE RECEIVED		
2/20	FISCAL NOTE PRINTED		
3/06	HEARING		
3/28	COMMITTEE REPORT—BILL PASSED AS AMENDED		
4/03	2ND READING PASSED	88	10
4/03	ON MOTION RULES SUSPENDED TO ALLOW 3RD READING THIS DAY		
4/03	3RD READING PASSED	83	16
	TRANSMITTED TO SENATE		
4/04	FIRST READING		
4/04	REFERRED TO TAXATION		
4/09	HEARING		
4/13	COMMITTEE REPORT—BILL CONCURRED AS AMENDED		
4/16	2ND READING CONCURRED	49	0
4/17	3RD READING CONCURRED	49	0
	RETURNED TO HOUSE WITH AMENDMENTS		
4/18	2ND READING AMENDMENTS CONCURRED	93	4
4/19	3RD READING AMENDMENTS CONCURRED	90	8
4/23	SIGNED BY SPEAKER		
4/23	SIGNED BY PRESIDENT		
4/23	TRANSMITTED TO GOVERNOR		
4/29	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 705		

EFFECTIVE DATE: 4/29/91

HB 870 INTRODUCED BY R. JOHNSON

REVISE LICENSING FOR ACUPUNCTURE AND PODIATRY;
REVISE COMPLAINTS REGARDING DOCTORS

2/14	INTRODUCED		
2/14	REFERRED TO BUSINESS & ECONOMIC DEVELOPMENT		
2/15	FIRST READING		
2/20	HEARING		
2/20	COMMITTEE REPORT—BILL PASSED		
2/25	2ND READING PASSED	98	0
2/26	3RD READING PASSED	99	0
	TRANSMITTED TO SENATE		
2/26	FIRST READING		
2/26	REFERRED TO PUBLIC HEALTH, WELFARE & SAFETY		
3/27	HEARING		
3/28	COMMITTEE REPORT—BILL CONCURRED AS AMENDED		
4/03	2ND READING CONCURRED	50	0
4/04	3RD READING CONCURRED	50	0
	RETURNED TO HOUSE WITH AMENDMENTS		
4/10	2ND READING AMENDMENTS CONCURRED	92	2
4/11	3RD READING AMENDMENTS CONCURRED	99	0
4/17	SIGNED BY SPEAKER		
4/17	SIGNED BY PRESIDENT		
4/17	TRANSMITTED TO GOVERNOR		
4/22	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 540		
	EFFECTIVE DATE: 10/01/91		

HB 871 INTRODUCED BY CODY

TRANSFER CITIZENS' ADVOCATE TO LEGISLATIVE COUNCIL

2/14	INTRODUCED
2/14	REFERRED TO STATE ADMINISTRATION
2/15	FIRST READING
3/06	HEARING
3/07	TABLED IN COMMITTEE

HB 872 INTRODUCED BY COBB

CLARIFY WAIVER OF IMMUNITY FOR IMPLIED CONTRACT

2/14	INTRODUCED
2/14	REFERRED TO JUDICIARY
2/15	FIRST READING
2/20	HEARING
2/20	TABLED IN COMMITTEE

HB 873 INTRODUCED BY RANEY

LIMITING THE OUTDOOR LIGHTING
OF THE CAPITOL BUILDING

2/14	INTRODUCED
2/14	REFERRED TO STATE ADMINISTRATION
2/15	FIRST READING
2/15	FISCAL NOTE REQUESTED
2/20	HEARING
2/20	TABLED IN COMMITTEE
2/20	FISCAL NOTE RECEIVED

HB 874 INTRODUCED BY CONNELLY, ET AL.

HALF FEE ON MOTOR BOATS WITH
MOTOR OF 20 H.P. OR LESS

2/15	INTRODUCED
2/15	REFERRED TO TAXATION
2/15	FIRST READING
2/15	FISCAL NOTE REQUESTED
2/20	FISCAL NOTE RECEIVED
2/22	FISCAL NOTE PRINTED
3/12	TABLED IN COMMITTEE

Unisex Law. What has developed is the issue of whether the Commissioner of Insurance has the authority to enforce the rules of the Montana Human Rights Commission, stating that if there are unisex laws, mandatory coverage for pregnancy must be included. This amendment would make it clear that the Commissioner of Insurance would have the authority to disapprove insurance forms that do not contain mandatory pregnancy coverage. EXHIBIT 5A. He urged adoption.

Tom Hopgood, Health Insurance Association of America, Helena, said they do not oppose the bill. They do not oppose the amendments offered by REP. FAGG, neither do they oppose the amendments offered by Blue Cross/Blue Shield.

Questions from the Committee:

REP. PAVLOVICH asked REP. FAGG if those were the amendments he did not concur in. REP. FAGG said he wasn't certain how they coincided with HB 388 and, until he had time to study HB 388, he opposed them. It was his understanding that it was going to cause controversy.

CHAIRMAN BACHINI asked Mr. Barnhill to comment on the amendments. Mr. Barnhill said the mandatory maternity coverage law is contained in Title 49. They enforce Title 33. When a company files forms for review by them, they are reviewed for compliance with Title 33 only. They do notify the insurance company in writing that they must also comply with Title 49. The Human Rights Commission has the authority to enforce the violations of Title 49. One reason they are opposed to this is, if they were to review coverages for compliance with Title 49, that would subject the insurance companies to penalties under their code as well. This would penalize the insurance company twice. He is opposed to the amendments proposed by Blue Cross/Blue Shield as they relate to pregnancy coverage.

CHAIRMAN BACHINI closed the hearing.

HEARING ON HOUSE BILL 870

Presentation and Opening Statement by Sponsor:

REP. ROYAL JOHNSON, HD 88, BILLINGS, said this is another bill from the Medical Examiner's Board. It is an Act to revise the process for making a complaint against a physician or podiatrist by providing that the complaint may be in writing rather than by sworn affidavit; provides renewal dates, revocation dates, removes the limit on fees the board of medical examiners may set and revises requirements and procedures for annual renewals, etc. It allows the Board of Medical Examiners to set some of the rules for the other professions that they do in fact, govern. He referred to Page 4, line 9 which has been changed, "sworn" was deleted and "written" inserted. This allows a person to make a complaint without going to court, without hiring a lawyer, etc.

This allows the MEB to follow up on any complaint they may have received from a supposed aggrieved party.

At the bottom of Page 6, line 24, they changed "shall" to "must". At the top of Page 7, the annual renewal dates are to be set by the Board. Page 7, lines 7 and 8 have been deleted and language inserted stating renewal notices are to be mailed 60 days prior to a renewal date set by the board. Page 7, lines 11-13 state if "the annual renewal fee is not paid by the renewal date set by the Board, the licensee's certificate may be revoked". This gives them a way to revoke the license upon proper notice to whomever has that license. On Page 10, line 8 "sworn" was again changed to "written" complaint.

Section 4 allows the Board to set renewal dates for acupuncturists to renew their licenses, making them responsible for renewing their license within a certain time and providing penalties. On Page 14, line 18, the fee to be charged for physician's assistants is put in line with the other professions. Pages 15 and 16 state how the Board will handle the certificates issued annually and allows the Board to set the dates.

Proponents' Testimony:

Jerome Loendorf, Montana Medical Association, Helena, said they support HB 870.

Questions from the Committee:

CHAIRMAN BACHINI said on Page 15, line 12 there is a \$50 fee mentioned. REP. ROYAL JOHNSON said that had been covered on page 14 where it was deleted and was reinserted on Page 15.

Closing by the Sponsor:

REP. ROYAL JOHNSON asked for a Do Pass.

EXECUTIVE ACTION ON HOUSE BILL 870

Motion/ Vote: REP. PAVLOVICH moved HB 870 Do Pass. Motion CARRIED unanimously.

HEARING ON HOUSE BILL 819

REP. ANGELA RUSSELL, HD 99, LODGE GRASS, explained HB 819 is an act to promote state-tribal cooperation in economic development; providing for Indian representation on the Tourism Advisory Council; requiring the Department of Commerce to work with tribal governments in promoting tourism and economic development; amending Sections 2-15-1816, and 90-1-104 and 90-1-105, MCA. Section 1 deals with the Tourism Advisory Council. The new language is to add representatives from Indian tribal governments to the Tourism Council. She referred to page 2, line 18(g) where new language "encourage regional non-profit tourism corporations

BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE

DATE Feb. 20, 1991

[illegible]

HOUSE STANDING COMMITTEE REPORT

February 20, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Business and Economic Development report that House Bill 870 (first reading copy -- white) do pass.

Signed: _____

Bob Bachini
Bob Bachini, Chairman

SENATE PUBLIC HEALTH, WELFARE & SAFETY COMMITTEE

March 27, 1991

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Senator Towe asked Mr. Shields if they were bound by an interlocal government agreement.

Mr. Shields said the reservation based programs are bureau policy. The Indian Health Service will not take the lead in this issue. A National Indian Certification plan is being developed and should be completed by July 1 of this year, but they are a year behind.

Mr. Houchin commented that one program is under '638' which has different contractual arrangements. Missoula has a contract with the Indian Health Center. The agreements are slightly different.

Senator Franklin asked Mr. Robinson to comment on the supervised work experience portion of the bill.

Mr. Robinson said in the two-year program there is a minimum of six month practicum replacement leave. The one year program is involved in actual clinical activity with the last six months in case management. Both programs provide supervised case management.

Closing by Sponsor:

Senator Brown closed by thanking the committee for a good hearing and said his intent is to upgrade chemical dependency counselors in Montana so people receive better treatment. He said he is concerned about leaving anyone out of the program.

HEARING ON HOUSE BILL 870

Presentation and Opening Statement by Sponsor:

Representative Royal Johnson opened by saying this bill is one that was worked on the Board of Medical Examiners for the last 14 months. It revises the process in which a person can make a complaint about a physician; change the way the State renews podiatry and acupuncture licenses; and remove the fee limit for physician assistants. The maximum now is \$50.00. There is a statement of intent on the bill.

Proponents' Testimony:

None.

Opponents' Testimony:

None.

Questions From Committee Members:

Chairman Eck said on page 14, the bill removed the language, "not exceeding \$50.00," but it was not removed on page 15, line 12. She asked if that should be deleted as well.

Representative Johnson said they missed that in the House and asked the committee to adopt that amendment.

Closing by Sponsor:

Representative Johnson closed by thanking the committee for the hearing.

EXECUTIVE ACTION ON HOUSE BILL 870

Motion:

Senator Towe moved the amendment denoted in Exhibit #9.

Discussion:

None.

Amendments, Discussion, and Votes:

There being no objections the motion carried.

Recommendation and Vote:

Senator Towe moved concurrence as amended. There being no objections the motion carried.

HEARING ON SENATE BILL 469

Presentation and Opening Statement by Sponsor:

Senator Ethel Harding opened by saying she has been a small business employer for 16 years and it has been a top priority to provide health insurance to those employees. It was three years before they were financially able to provide the health insurance. The increase in health care costs had been alarming. Last year, when they renewed their policy, the premiums jumped approximately \$500.00 per month. Other states have passed basic health insurance plans and parts of that legislation is combined into this bill. It creates a basic health insurance for small business. It has been difficult to make this a requirement but there are many small businesses who want to provide health insurance but cannot afford to do that. A basic health care plan may solve their problems. As you know, 141,000 Montanans do not have health insurance. If small business employers furnish health insurance, it may lower medical costs.

ROLL CALL

PUBLIC HEALTH, WELFARE
AND SAFETY

COMMITTEE

Date 03/27/91

NAME	PRESENT	ABSENT	EXCUSED
SENATOR BURNETT	X		
SENATOR FRANKLIN	X		
SENATOR HAGER	X		
SENATOR JACOBSON	X		
SENATOR PIPINICH	X		
SENATOR RYE	X		
SENATOR TOWE	X		
SENATOR ECK	X		

Each day attach to minutes.

ROLL CALL VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE & SAFETY

Date 03/27/91 H Bill No. 870 Time 4:40 p.m.

NAME	YES	NO
SENATOR BURNETT	X	
SENATOR FRANKLIN	X	
SENATOR HAGER	X	
SENATOR JACOBSON	X	
SENATOR PIPINICH	X	
SENATOR RYE	X	
SENATOR TOWE	X	
SENATOR ECK	X	

Secretary

Chairman

Motion: Senator Towe moved adoption of the amendment denoted in

Exhibit #9. There being no objections the motion carried.

ROLL CALL VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE & SAFETY

Date 03/27/91 H Bill No 870 Time 4:42 p.m.

NAME	YES	NO
SENATOR BURNETT	X	
SENATOR FRANKLIN	X	
SENATOR HAGER	X	
SENATOR JACOBSON	X	
SENATOR PIPINICH	X	
SENATOR RYE	X	
SENATOR TOWE	X	
SENATOR ECK	X	

Secretary

Chairman

Motion: Senator Towe moved concurrence. There being no objections the
motion carried.